

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Sep 27, 2021**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender:	Timothy Andrew Casey	Case Number:	0980 2:13CR00138-RMP-1
Address of Offender:	Spokane, Washington 99201		
Name of Sentencing Judicial Officer:	The Honorable Rosanna Malouf Peterson, U.S. District Judge		
Date of Original Sentence:	February 10, 2014		
Original Offense:	Receipt of Child Pornography, 18 U.S.C. § 2252(A)(a)(2)		
Original Sentence:	Prison - 60 months TSR - 20 years	Type of Supervision:	Supervised Release
Asst. U.S. Attorney:	Stephanie J. Lister	Date Supervision Commenced:	July 19, 2018
Defense Attorney:	Garth Louis Dano	Date Supervision Expires:	July 18, 2038

PETITIONING THE COURT**To issue a SUMMONS.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Standard Condition #3:</u> The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
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Supporting Evidence: Mr. Timothy Casey is alleged to have violated standard condition number 3 by being intentionally dishonest with the undersigned officer on a multitude of occasions when questioned about viewing pornographic content throughout his current term of supervised release, as having occurred most recently on September 22, 2021.

On July 13, 2018, Timothy Casey signed his conditions relative to case number 2:13CR00138-RMP-1, indicating he understood all conditions as ordered by the Court. Specifically, Mr. Casey was advised as to his obligation to remain honest with the undersigned officer.

On September 22, 2021, the undersigned officer conducted an unscheduled home contact with the client at his residence at which time, and as standard practice, he was questioned about viewing or having any urges or desires to view pornographic content. Mr. Casey denied having viewed any pornographic content, instead stating that he immediately reads or watches movies when he feels such urges, which he stated consistently diminishes his desire to view such content. Mr. Casey has made similar statements to the undersigned officer through the current duration of his supervised release.

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On September 27, 2021, Mr. Casey admitted to the undersigned officer that he has purchased and viewed pornographic content for the last several years, in direct conflict with his Court ordered conditions. Mr. Casey was unable to provide an answer as to why he had not been forthright with the undersigned officer with respect to his admitted and ongoing violation conduct.

- 2 **Special Condition #18:** You shall be prohibited from possessing or manufacturing any material, including videos, magazines, photographs, computer-generated depictions, or any other forms that depict sexually explicit conduct involving children or adults, as defined at 18 U.S.C. § 2256(2). Neither shall you enter nor frequent any establishment involved in the sex industry, including but not limited to adult bookstores, massage parlors, and strip clubs. You shall not utilize any sex-related adult telephone numbers. The supervising officer is authorized to monitor compliance in this area by obtaining relative records including but not limited to telephone, Internet, and credit cards.

Supporting Evidence: On multiple occasions, Timothy Casey is alleged to have violated special condition number 18 by purchasing and acquiring pornographic content from online retailers, as most recently occurring on September 24, 2021. It should be noted, records also reflect Mr. Casey's attempts to locate pornographic content online as having occurred most recently on September 23, 2021. Such allegations are made based on monitoring records and the client's admission of such conduct.

On July 13, 2018, Mr. Timothy Casey signed his conditions relative to case number 2:13CR00138-RMP-1, indicating he understood all conditions as ordered by the Court. Specifically, Mr. Casey was advised as to his inability to view pornographic content as outlined and as described in special condition number 18.

On September 27, 2021, the undersigned officer received the client's weekly Internet accountability report, which serves to document the client's activities online throughout the week by taking both random and identified concerning screen shots of the client's conduct while using the device. As a part of the undersigned officer's review of the client's report as outlined herein, several images were observed that appeared to show both a female and a male naked from the waist down, as well as a full body screen shot of the parties together in which they again appeared naked.

In response to the identified concern, Mr. Casey was directed to report to the U.S. Probation Office. He subsequently reported as directed and a physical inspection of the client's device was conducted. Numerous concerns were identified as a part of the inspection, to include verification of previously purchased pornographic content that the client had purchased from Amazon and then had mailed to him, as well as online YouTube searches which reflect the client's attempts to view pornographic content.

Specifically, Mr. Casey's Amazon browsing history reflected his having previously browsed apparent pornographic content with such titles as: "Amateur Nude Models," "Primal Man - Jocks Shower Time III," "All Male All Nude," and "Chunky School Girls" to name a few. In addition, titles such as "Schoolgirl Report V10" and "La Belle Noiseuse (The Beautiful Trouble Maker)" shows as having been previously purchased by and delivered to the client on August 26, and September 24, 2021, respectively. Numerous other pornographic titles reflected as having previously been ordered by the client dating back to February 2020.

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In addition, a review of Mr. Casey's recent Internet history reflected previous YouTube searches, as having occurred on September 23, 2021, for "a naked attraction," "strippers," and "all male nude." Mr. Casey was questioned by both the investigating officer, as well as the undersigned officer, at which time he admitted to having viewed pornographic content for the past several years at the rate of several times per month, to include when he was previously engaged in outpatient sex offender treatment, which he has since successfully completed. Mr. Casey advised that he at no time viewed pornographic content containing minors, and the investigating officer confirmed not locating any such content. It should also be noted that the client's purchased content with the term "schoolgirl" in the title appeared to show adults based on the thumbnail provided.

As a result of the client's admitted and observed conduct as outlined herein, the client's cellular device was seized and will be forwarded for forensic analysis.

The U.S. Probation Office respectfully recommends the Court **issue a SUMMONS** requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 27, 2021

s/Chris Heinen

Chris Heinen

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

September 27, 2021

Date